IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
WEDNESDAY, THE SEVENTH DAY OF JULY
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE N.V. RAMANA
WRIT PETITION NO : 11380 of 2004

Between:

1 S. Rama Rao S/o Late Babaiah
R/o Balapur Village, Saroornagar-Mandal Ranga Reddy District
2 S. Babu Rao S/o Late Babaiah
R/o Balapur Village, Saroornagar-Mandal Ranga Reddy District
3 S. Yadagiri S/o Late Babaiah
R/o Balapur Village, Saroornagar-Mandal Ranga Reddy District
4 S. Venkaiah S/o Late Lakshmaiah
R/o Balapur Village, Saroornagar-Mandal Ranga Reddy District
5 S. Kishtaiah S/o Lakshmaiah
R/o Balapur Village, Saroornagar-Mandal Ranga Reddy District
6 S. Pentaiah S/o Lakshmaiah
R/o Balapur Village, Saroornagar-Mandal Ranga Reddy District
7 Smt. S. Balamani @ Balamma, W/o Late Babaiah
R/o Balapur Village, Saroornagar-Mandal Ranga Reddy District

.....
PETITIONER(S)

AND

1 The Assistant Director Survey andLand Records, Ranga Reddy District, Hyderabad
2 The Deputy Collector & Mandal Revenue Officer, Saroornagar-Mandal, Ranga Reddy District

..RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that

in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ or Direction or order more particularly one in the nature of Mandamus declaring the action of the respondents in not conducting Survey and demarcation of the petitioners' land by fixing the boundary stones in Survey No. 106/4 to an extent of Ac. 2-00 gts situated at Balapur Village, Saroornagar-Mandal, Ranga Reddy District as illegal and arbitrary and violation of Article 14, 16 and 21 of the Constitution of India with consequential directions to the respondents to conduct Survey and demarcation of the land of the petitioner's by fixing boundry stones in Survey No. 106/4, extent of Ac. 2-00 gts situated at Balapur Village, Saroornagar-Mandal, Ranga Reddy District

For the Petitioners:MR.S.SRINIVASA SHARMA- Advocate

For the Respondents.: GP FOR REVENUE

The Court at the stage of admission made the Following :

THE HON'BLE SRI JUSTICE N.V.RAMANA

WRIT PETITION NO. 11380 OF 2004

ORDER:

The present writ petition is filed questioning the action of the respondents in not conducting survey and demarcation of the petitioners' land and fixing the boundaries in Survey No. 106/4 to an extent of

Ac.2-00 guntas , Balapur village, Saroornagar mandal.

It is stated in the affidavit filed in support of the writ petition that one Sakali Kishtaiah was the protected tenant of the subject land, and petitioners herein being legal heirs of said Kistaiah filed a petition under section 40 of the A.P.(T.A) Tenancy and Agricultural Act , 1950 for grant of succession of tenancy rights and the same was registered as file No.B/10715/2003 on the file of second respondent. Thereafter vide proceedings dated 27-9-2003 the second respondent disposed of the matter directing the Additional Revenue Inspector and Mandal Surveyor to hand over the possession of the subject land and that the possession was handed over to the petitioners on 18-11-2003. Thereafter,

petitioners made an application before the second respondent on 25-1-2004 requesting to conduct a survey and to fix the boundaries to the subject land and also made an application on 24-3-2004 by paying the requisite charges. The petitioners also made a representation on 25-1-2004. Since no action is taken thereon, the present writ petition is filed.

Heard the learned counsel for petitioner and learned Government Pleader for Revenue, both counsel agreed for disposal of the writ petition with the following direction:

In the circumstances the writ petition is disposed of directing the respondents to consider the application dated 24-3-2004 and the representation made on 25-1-2004 and take appropriate steps for conducting survey and demarcation in accordance with law. If ultimately respondents comes to a conclusion that demarcation is not required for any reason, they are directed to pass a speaking order in the matter.

Subject to above, the writ petition is disposed of. No costs.

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N.V.RAMANA,J

7-7-2004

To

1 The Assistant Director Survey andLand Records, Ranga Reddy District, Hyderabad
2 The Deputy Collector & Mandal Revenue Officer, Saroornagar-Mandal, Ranga Reddy District
3..2CCs to G.P. for Revenue, High Court of A.P., Hyderabad
4..2CD copies

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